

**Construction Board of Appeals  
July 14, 2020  
MINUTES**

**MEMBERS PRESENT:** Zannie Graham, Melvin Huell, Richard A. Butts, & Jerry Pope

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Ryan Call & Debra Grant

- I. Call to Order**
- II. Approval of minutes: March 9, 2020;** Mr. Huell made a motion to approve the minutes as written; seconded by Mr. Pope; the motion carried unanimously.
- III. Consideration:**

- 1.** In the matter of **2118 Emanuel Street (TMS# 05-0017-286-00-00)** owner of record **Randy Williams**, the City finds that this structure is an unfit dwelling for human habitation and imminent danger to human life or health. **Ryan Call/City Staff** told the board that the initial correspondence was sent out on October 31, 2019 and there was no response. The matter was taken to City Council in December 2019, the title work was received in April 2020, the only person named on the title was Mr. Randy Williams; notices were sent to him but there was no response. **Ryan** said it is the City's recommendation that we move forward with the demolition. All advertisements were done and all notifications received, with no response. **Mr. Huell** said he went onsite and does not feel like it would be feasible for anyone to invest in the repairs needed, and supports the City's recommendations. **Mr. Pope** said he also went onsite. **Mr. Butts** said he agreed with Mr. Huell's findings. **Mr. Graham** said he also visited the site and does not think it can be brought back up to livable standards. **Mr. Graham** asked staff if anyone was present on behalf of this application. **Ryan Call/City Staff** said no one was representing this application.

**Motion: Mr. Pope made a motion to approve the request for demolition as presented by City Staff; seconded by Mr. Huell; the motion carried 4 to 0 by a roll call vote.**

- 2.** In the matter of **2013 Emanuel Street (TMS# 05-0022-080-00-00)** owners of record **Perry E. Boykin Jr., Patricia A. Boykin, & Diana Dennison** the City finds that this structure is an unfit dwelling for human habitation and imminent danger to human life or health. **Ryan Call/City Staff** said an onsite was done by the inspectors on October 31, 2019, there is no power on the structure, very significant structural damages on the exterior and interior. Plumbing, electrical, and mechanical damages are also suspected. Correspondence was sent to Mr. Boykin and he is present for this meeting. The title work was obtained and it showed the parties of interest are Perry E. Boykin Jr., Patricia A. Boykin, and Diana Dennison. Complaint petitions, and all other steps were done; the Boykins responded to the notices (owners of the land), however Diana Dennison did not respond (owner of the mobile home). The City Attorney was notified because of the uniqueness of this case, she said the City cannot get involved in civil matters between the land owner and the home owner, however she suggested that the Boykins go to the County court building on Cleland Street to file papers. **Ryan** said his only concern was if the City moves forward with the demolition of the structure the land owner Mr. Boykin would take the hit, because a lean will go against his

property. Mr. Boykin was given the option to take the structure down himself, but he wants to take a more legal approach, however from the City's stand-point the structure needs to be removed for safety concerns of the community. **Mr. Boykin/Land owner** said Ms. Dennison is the owner of the mobile home, and he inherited the property after the passing of his grandfather, there has been a lot of back and forth with Ms. Dennison and her attorney to ask her to remove the structure from the property. There was a case through the Magistrate Court, but the case did not go forth because the estate was still in probate. Mr. Boykin says he keeps the property clean, however he agrees with the City that the structure needs to be removed. **Mr. Boykin** said another attempt was made to reach out to the magistrate office, and there is confirmation that someone received the letter but there has been no response, phone calls and emails were sent last week also, with no response. **Mr. Graham** asked Ryan if the City takes the structure down, can the owner (Ms. Dennison) come after the City. **Mr. Huell** said he hears a question from Mr. Boykins if the structure comes down, who would pay for that. **Ryan** said unfortunately the lean will be put on the property owner, Mr. Boykins. **Mr. Pope** asked if the original owner gave Ms. Dennison the approval to put the mobile home on the property, if so he said he feels it should be the responsibility of the property owner to remove the structure. **Mr. Huell** said the Board is charged with voting on if the City's findings are correct, it is unfortunate that the lean has to be put on Mr. Boykins property, but this Board has the obligation to find whether or not this structure needs to be removed. **Mr. Graham** agreed with the statement that Mr. Huell made and said they have to vote on whether or not the City findings are correct. **Mr. Boykin** said if the demolition is done he will have to do what he has to legally against Ms. Dennison. **Ryan** said the City has exhausted all channels of reaching out to Ms. Dennison, and have received confirmation that the letters and notices were received by Ms. Dennison or someone on her behalf.

**Motion: Mr. Butts made a motion to approve the request for demolition as presented by the City Staff; seconded by Mr. Huell; the motion carried 4 to 0 by a roll call vote.**

**IV. Board Discussion**

Ryan told the Board that the last 2 structures that came before the Board has been removed.

**V. Adjournment:** With there being no further business the meeting was adjourned.

*Submitted By,*

*Debra Grant  
Board Secretary.*